

## REMARKS

These remarks are in reply to the Office Action dated October 2, 2006.

### Claim Rejections

Claims 1- 4, 14, 19 and 20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Lopes;<sup>1</sup> claims 15 - 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lopes; claims 5 - 9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lopes in view of Litwin;<sup>2</sup> and claims 10 - 13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lopes and Litwin in view of Ishii.<sup>3</sup> Applicant respectfully traverses the rejections.

The rejections are all premised on the allegation that Lopes anticipates independent claims 1 and 14. But Lopes does not anticipate these claims.

### The Lopes Reference

The Lopes' telephone 10 generates a *clock setting pulse* which is broadcast by its wireless transmitter 22 at a *predetermined interval* to a time-keeping appliance 36. Col. 4, lines 20 – 24; and step 66, Fig. 3. A "decode logic circuit 42" of the appliance detects and decodes the clock setting pulse and outputs a "time set code 44" to the appliance clock circuitry 46. Col. 4, lines 26 - 28. Upon receiving the clock setting pulse, the corresponding time set code 44 is retrieved from a memory. Col. 4, lines 32 - 34. The time set code is used to adjust or reset the time. Col. 4, lines 37 - 38. For example, the clock setting pulse may correspond to a predetermined time, such as midnight. Upon detecting the specific clock setting pulse, the appliance automatically sets its local clock to midnight. Col. 4, lines 50 - 53.

### Distinctions

1. Claims 1 and 14 recite "producing a wireless signal representative of said current server time." However, Lopes does not disclose "producing a wireless signal representative of said current server time."

The clock setting pulse disclosed in Lopes is a not the current time; it is merely a synchronizing signal. The decode logic circuit 42 must decode the clock

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<sup>1</sup> U.S. Pat. No. 6,215,862 to Lopes.

<sup>2</sup> U.S. Pat No. 6,577,231 to Litwin Jr. et al.

<sup>3</sup> U.S. Pat No. 5,375,104 to Ishii et al.

setting pulse to interpret a meaningful time according to coding that must be established in advance. Thus, the reference suggests providing a memory for storing "a table or register value of one or more time set codes corresponding to different clock setting pulses . . . ." Col. 4, lines 29 - 32. In contrast, a signal representative of the current server time is claimed. As the specification indicates, "time information can include the time of day, date and day of the week." Page 6, lines 4-5; Pat. Pub. paragraph [0018].

Moreover, the Lopes telephone 10 receives a current time from a time service 32, but that current time is not *broadcast wirelessly* to the appliance 36. Instead, the telephone updates its time register in response to learning the current time, and at some later, predetermined time, the telephone broadcasts a "pulse" to the appliance to synchronize the appliance's clock to the predetermined time. In contrast, the claimed invention produces "a wireless signal representative of said current server time for wireless transmission to said timekeeping device."

2. Claims 1 and 14 respectively recite transmitting "a query signal for querying a time server" and "querying a time server." However, Lopes does not disclose transmitting a query signal or querying a time server.

The clock setting pulse, i.e., the synchronizing signal disclosed in Lopes is output at a particular, predetermined time. For example, the clock setting pulse may correspond to midnight, three A.M., four A.M. Col. 4, lines 50-51 & lines 65-66; Col. 5 lines 1-4. Lopes does not disclose querying a time server at a time determined by a time keeping device. As the specification indicates, "when the timekeeping device 12 decides to update the time, it transmits a wireless request." Page 8, lines 18-19; Pat. Pub. paragraph [0026].

New claims 21 - 24 bring out a further distinction over Lopes. In Lopes, the appliances 36 do not initiate contact with the time service, over the wireless connection.

The remaining grounds for rejection are moot in view of the failure of the premise upon which they are all based.

Conclusion

Accordingly, claims 1-24 are in condition for allowance. Applicant respectively requests that claims 1-24 be allowed, and this application be passed to issue. If the Examiner feels that a telephone interview would be helpful, he is invited to call applicant's attorney, Richard Wilhelm (48,786), at 503-635-1187.

Respectfully submitted,

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